

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Candy Argot,)	
)	C/A No. 4:11-2755-MBS
Plaintiff,)	
)	
vs.)	O R D E R
)	
Dr. Oliver Harden, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff Candy Argot is an inmate in custody of the Columbia Regional Care Center in Columbia, South Carolina. Plaintiff filed a complaint on October 12, 2011, alleging that Defendants violated her constitutional rights in various respects. Plaintiff brings this action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Thomas E. Rogers, III for pretrial handling.

This matter is before the court on motions to dismiss filed by Defendant Joy NLN on May 23, 2012; Defendant Columbia Regional Care Center on June 13, 2012; and Defendants Officer Rosin, Nurse Mills, Rochelle Priester, and Tangela NLN on June 14, 2012. On September 27, 2012, the Magistrate Judge issued a Report and Recommendation in which he recommended that the motions to dismiss filed by Defendants Joy NLN and Rosin, Mills, Priester, and Tangela NLN be granted, and that the motion to dismiss filed by Defendant Columbia Regional Care Center be denied. In addition, the Magistrate Judge recommended that Defendant Leroy NLN be dismissed as a party. No party filed objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). This court may accept, reject, or modify, in whole

or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1). This court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. Id. In the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

The court has thoroughly reviewed the record. The court adopts the Report and Recommendation and incorporates it herein by reference. Defendants Joy NLN, Leroy NLN, Rosin, Mills, Priester, and Tangela NLN are dismissed without prejudice, and their respective motions **granted** (ECF Nos. 64, 76). Defendant Columbia Regional Care Center’s motion to dismiss is **denied**. The matter is recommitted to the Magistrate Judge for further pretrial handling.

IT IS SO ORDERED.

/s/ Margaret B. Seymour

Chief United States District Judge

Columbia, South Carolina

January 10, 2013.